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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Haruhiro ONO et al.) : Examiner: D. Vanore
Application No.: 09/819,907) : Group Art Unit: 2881
Filed: March 29, 2001) :
For: ELECTRON OPTICAL SYSTEM,) July 1, 2003
CHARGED-PARTICLE BEAM EXPOSURE :
APPARATUS USING THE SAME, AND)
DEVICE MANUFACTURING METHOD :
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action dated June 3, 2003.

In the Office Action, the Examiner sets forth a restriction requirement between two groups of claims. Group I, claims 1-19, is drawn to a charged particle exposure apparatus, and is classified in class 250, subclass 492.22. Group II, claims 20-23, is drawn to a factory, a device manufacturing method and a method of maintenance of charged particle devices, and is classified in class 250, subclass 492.2.

In the Office Action, it is alleged that Groups I and II are related as combination and subcombination and have acquired a separate status in the art as shown by their different classifications. These contentions are respectfully traversed. It is submitted that the amount of effort required by the U.S. Patent and Trademark Office would be lessened by permitting all of the claims presently in the application to be prosecuted in a single application. The alternative is to proceed with the filing of another application, consisting of the same disclosure and being subjected to substantially the same search, perhaps by a different Examiner on a different occasion, with the resultant burden on the U.S. Patent and Trademark Office. Accordingly, it is respectfully requested that the Examiner reconsider the requirement for restriction and allow the claims presently in the application to be prosecuted in a single application.

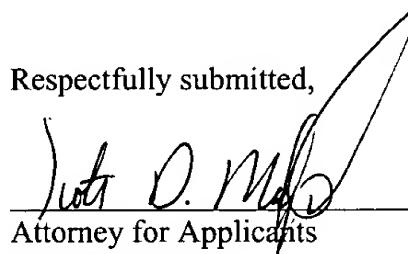
Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects to prosecute the invention of Group I, namely claims

1-19.

Favorable consideration and an early passage to issue are also requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



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